

REMARKS

Claims 26 and 27 are pending in this application. The specification and claims 26 and 27 are amended herein. Support for the amendments to the specification may be found at page 12, lines 2-24 of the specification as filed originally, and in Fig. 8. No new matter has been added.

Support for the amendments to the claims may be found in the claims as originally filed, particularly claim 7, and at page 14, lines 4-37, continuing at page 15, lines 1-7 of the specification. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding. Further reconsideration is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. ' 103:

Claims 26 and 27 were rejected under 35 U.S.C. ' 103(a) as being unpatentable over Japanese Publication No. JP 11-215175 to Taki Kazuya (hereinafter "Taki") in view of U.S. Patent No. 6,742,163 to Ono (hereinafter "Ono"). The rejection is traversed to the extent it would apply to the claims as amended. Reconsideration is earnestly solicited.

In the claimed invention, a portable server creates layered intermediate data files. The file creation is performed in accordance with the extracted sizes of the characters fonts. Moreover, the creation of the layered intermediate files is performed in such a way that each of the intermediate data files as characters with font sizes that are larger than a predetermined threshold value for each of the intermediate data files. The second clause of claim 26, in particular, recites:

Extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order.

Neither Taki nor Ono teaches, discloses, nor suggests "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of

said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as recited in claim 26.

Taki, rather, records the *number* of characters or pictures per page, not extracts "sizes of a character's fonts from a data file" as recited in claim 26. In particular, as described at paragraph [0061]:

Drawing 14 shows the document information N1 which consists of 3 pages, N2, and N3, for example. Thus, the document information N1, N2, and N3 are the information which recorded the character or the picture per page, for example, they are generated by a word processor program or a figure preparing program of the personal computer 210, etc.

Since Taki records the number of characters or pictures per page, Taki is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as recited in claim 26.

In Taki, moreover, the document information is constituted by the text data (character data) which consists of an ASCII code (American Standard Code for Information Interchange), the JIS code, or an EBCDIC code in the case of the document information which consists only of characters. In particular, as described at paragraph [0062]:

That is, in the case of the document information which consists only of characters, the document information is constituted by the text data (character data) which consists of an ASCII code (American Standard Code for Information Interchange), the JIS code, or an EBCDIC code (Extended Binary Coded Decimal Interchange Code). On the other hand, it is constituted by bit map data when it is the document information in which a picture is included.

Since, in Taki, the document information is constituted by the text data (character data) which consists of an ASCII code (American Standard Code for Information Interchange), the JIS code, or an EBCDIC code in the case of the document information which consists only of characters, Taki is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as recited in claim 26.

In Taki, moreover, the number of characters which constitutes 1 block a is divided so that it may become a number smaller than the number of characters for one line of each page of document information. In particular, as described at paragraph [0063]:

Here, when document information is text data, as shown in drawing 15, the number of characters which constitutes 1 block a is divided so that it may become a number smaller than the number of characters for one line of each page of document information.

Since, in Taki, the number of characters which constitutes 1 block a is divided so that it may become a number smaller than the number of characters for one line of each page of document information, Taki is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as recited in claim 26.

Finally, in Taki, each block a which constitutes document information is changed into the transmission data D which has two or more frames F as shown in drawing 9. In particular, as described at paragraph [0064]:

When turning document information to the viewer 300 from the sending set 200 and transmitting, each block a which constitutes document information is changed into the transmission data D which has two or more frames F as shown in drawing 9. And each frame F in the transmission data D consists of the header S1 and the document data area S2.

Since, in Taki, each block a which constitutes document information is changed into the transmission data D which has two or more frames F as shown in drawing 9, Taki is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as recited in claim 26.

The final Office Action acknowledges at page 3, that "Taki does not explicitly show extracting sizes of characters fonts," and attempts to compensate for this deficiency of Taki by combining Taki with Ono. Ono, however, is not "extracting sizes of the character's font from a

data file" either, and thus cannot make up for the deficiencies of Taki with respect to claim 26 in any case.

Fig. 23 of Ono, rather, shows page titles extracted from each page, not "extracting sizes of the character's font from a data file" as recited in claim 26. In particular, as described at column 3, lines 49, 50, and 51:

FIG. 23 shows an example of representation of the retrieved hierarchical pages, showing an example of representation of page titles extracted from each page.

Since Ono extracts page titles from each page, Ono is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order" either, and thus cannot make up for the deficiencies of Taki with respect to claim 26.

Fig. 23 of Ono, moreover, shows page titles extracted from each page, not "extracting sizes of the character's font from a data file" as recited in claim 26. In particular, as described at column 15, lines 41-50:

FIG. 23 is what titles, i.e. the character strings in <TITLE> . . . </TITLE>, of each page extracted from hierarchical pages thus obtained are represented hierarchically. A context of the retrieved pages (relationship with the surrounding pages) can be understood and an outline of the page can be understood by presenting such information within the abstract of the retrieved page. It is also useful to embed a link such that the displayed document is changed to an intermediate page having a character string as a title thereof when each of these hierarchical display is clicked.

Since Ono extracts page titles from each page, Ono is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order" either, and thus cannot make up for the deficiencies of Taki with respect to claim 26.

Fig. 24 of Ono, for its part, shows character strings corresponding to headers extracted from each page, not "extracting sizes of the character's font from a data file" as recited in claim 26. In particular, as described at column 3, lines 52-55:

FIG. 24 shows an example of representation of the retrieved hierarchical pages, showing an example of representation of character strings corresponding to headers extracted from each page.

Since Ono shows character strings corresponding to headers extracted from each page, Ono is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order" either, and thus cannot make up for the deficiencies of Taki with respect to claim 26.

Ono, moreover, is extracting character strings in which a link jumping to a sub-page is pasted (clickable part) for each page and one which is closest to the link among character strings which are marked up by tags <H1> . . . </H1>, not "extracting sizes of the character's font from a data file" as recited in claim 26. In particular, as described at column 15, lines 51-58:

FIG. 24 is what is displayed by extracting character strings in which a link jumping to a sub-page is pasted (clickable part) for each page and one which is closest to the link among character strings which are marked up by tags <H1> . . . </H1> and are judged to be an equivalence of a header, instead of extracting the title from each page. This representation has the same effect with that shown in FIG. 23.

Since Ono is extracting character strings in which a link jumping to a sub-page is pasted (clickable part) for each page and one which is closest to the link among character strings which are marked up by tags <H1> . . . </H1>, Ono is not "extracting sizes of a character's fonts from a data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order" either, and thus cannot make up for the deficiencies of Taki with respect to claim 26. Consequently, even if Taki and Ono were combined as proposed in the final Office Action, claim 26 would not

result. Claim 26 is submitted to be allowable. Withdrawal of the rejection of claim 26 is earnestly solicited.

Claim 27:

The second clause of claim 27 recites:

Extracting sizes of the character's fonts from said data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order.

Neither Taki nor Ono teaches, discloses, nor suggests "extracting sizes of the character's fonts from said data file, creating a plurality of layered intermediate data files from the data file in accordance with the extracted sizes of the character's fonts, wherein each of said intermediate data files have characters with font sizes larger than a predetermined threshold value for each of said intermediate data files, and transmitting the intermediate data files in a hierarchical order," as discussed above with respect to the rejection of claim 26. Claim 27 is thus submitted to be allowable as well, for at least those reasons discussed above with respect to the rejection of claim 26. Withdrawal of the rejection of claim 27 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 26 and 27 are allowable over the cited references. Allowance of all claims 26 and 27 and of this entire application is therefore respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Application Serial No. 09/812,850
Amendment filed April 21, 2009
Reply to final Office Action mailed November 25, 2008

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: April 21, 2009

By: /Thomas E. McKiernan/
Thomas E. McKiernan
Registration No. 37,889

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

Attachments: Replacement sheet (1)
Annotated sheet showing drawing changes (1)
Clean Copy of Substitute Specification
Marked up Copy of Substitute Specification